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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/990,291	11/23/2001	Chui-Kuei Chiu	4425-217	2387
43831	7590	03/23/2006	EXAMINER	
BERKELEY LAW & TECHNOLOGY GROUP 1700NW 167TH PLACE SUITE 240 BEAVERTON, OR 97006			WORKU, NEGUSSIE	
			ART UNIT	PAPER NUMBER
			2625	

DATE MAILED: 03/23/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/990,291

Applicant(s)

CHIU, CHUI-KUEI

Examiner

Negussie Worku

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 October 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-36 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-36 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 23 November 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____

- DOUGLAS Q. TRAN
PRIMARY EXAMINER
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

1. Applicant's arguments with respect to claims 1, 9, 15 and 23, based on an amended limitation have been considered but are moot in view of the new ground(s) of rejection. Applicant's amendment necessitated new ground of rejection. Therefore, upon further consideration, a new ground(s) of rejection has been made in this Office action as described more fully below.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-36 are rejected under 35 U.S.C. 103(a) as being unpatentable over Baker et al. (USP 6,646,765), in view of Berlin et al. (USP 6,460,069).

Regarding independent claim 1, Barker et al. discloses an image apparatus (as shown in fig 1) comprising:

a scanner (scanning device 12 of fig 1) adapted to scan a first a document, see (col.3, lines 47-49);

a memory (memory 40 of fig 2) adapted to store image data corresponding to said first document (document scanned by scanner 12 of fig 1);

a signal control device (computer 14 [CPU 46] of fig 2, controls displaying a message to the user) adapted to generate a notify signal in response to said image data being stored in said memory (computer 14, inherently notify user if the document stored in memory 40 of fig 1) through said scanner (scanning device 12 of fig 1).

Barker et al. dose not expressly disclose a switch control device adapted to receive a signal to display said document on display device, and further adapted so that said scanner has the capability to scan next document substantially concurrently with a displaying of the first document.

However, Berlin et al. in the same area of selective document scanning method and apparatus teaches a switch control device (control button 330 on the display 320 of fig 3B, will select the control parameter for use by the image scanner device 215 of fig 2), adapted to receive a signal to display said document on display device, (320 of fig 3B) and further adapted so that said scanner (25 of fig 2) has the capability to scan next document substantially concurrently with a displaying of the first document, (col.15, lines 60-68).

Therefore, it would have been obvious to a person with ordinary skill in the art at the time the invention was made to have modified the imaging apparatus of Barker et al. to include: a switch control device adapted to receive a signal to display said document on display device, and further adapted so that said scanner has the capability to scan next document substantially concurrently with a displaying of the first document.

It would have been obvious to a person with ordinary skill in the art at the time the invention was made to have modified imaging device of Barker et al. by the teaching of Berlin et al. for the purpose of obtaining a perfect final image, by having the ability to perform a visual inspection of the document for all the prints of different color to be exactly superimpose.

Regarding to claim 2, Barker et al. discloses the apparatus (fig 1), further comprising a transmission device (scanner device 12 is a sheet-feed scanner) adapted to transmit said first document to be scanned, see (col.3, line 47-49).

Regarding to claim 3, Barker et al. discloses the apparatus (fig 1), wherein said transmission comprise a document handling device (sheet-feed device of scanner 12 of fig 1) selected from the group consisting of positive photograph holder, negative photograph holder, and ADF (automatic document feeder), see (col.3, line 47-49).

Regarding to claim 4, Barker et al. discloses the apparatus (fig 1), wherein said memory comprise a buffer (memory is selected by CPU 46 of fig 2) from the group consisting of ring buffer and ping-pong buffer, (memory 40 and 48, which is equivalent to applicant's discloses structure as depicted at applicant's fig 2).

Regarding to claim 5, Barker et al. discloses the apparatus (fig 1), wherein said a buffer comprises two or more memory buffer blocks, (memory 40 and 48, which is equivalent to applicant's discloses structure as depicted at applicant's fig 2).

Regarding to claim 6, Barker et al. discloses the apparatus (fig 1), further comprising a display switch adapted to receive said a notify signal and said notify further adapted so that said display device (read out display is provided on interface panel 26 to allow certain textual messages to be displayed for the user, see (col.3, lines 57-58).

Regarding to claim 7, Barker et al. discloses the apparatus (fig 1), wherein said notify signal comprise an image selected from the group consisting of arrow image, twinkling image and unlike color image, (read out display is provided on interface panel 26 to allow certain textual messages to be displayed for the user, see (col.3, lines 57-58).

Regarding to claim 8, Barker et al. discloses the apparatus (fig 1), wherein said display device comprise a peripheral selected from the group consisting essentially of television, monitor, liquid crystal display and projector, (read out display is provided on interface panel 26 to allow certain textual messages to be displayed for the user, such as through LCD 30 of fig 1, monitor 20 of fig 1, see (col.3, lines 57-58).

Regarding independent claim 9, Barker et al. discloses an image scanning system, (as shown in fig 1) comprising:

a scanner (scanning device 12 of fig 1) adapted to scan a first a document, see (col.3, line47-49);

a transmission device (scanner device 12 has a document feed device) adapted to transmit said first document to be scanned into said scanner (scanner 12 of fig 1) see (col.3, line 47-49);

a memory (memory 40 of fig 2) adapted to store image data corresponding to say first document (document to be scanned by stored in memory 40 of fig 2);

a signal control device (computer 14 of fig 1, which includes [CPU] controls to a display 20 of fig 2) for displaying a notify signal to notice the user displaying said document on a display device (a computer monitor 20 of fig 1) adapted to produce one or more signal including a notify signal in response to the image data corresponding to said first document being store said memory (memory 40 of fig 1).

Barker et al. dose not expressly disclose a switch control device adapted to receive a starting signal to display said document on said display device, and further adapted to notify said transmission device to transmit a second document to said scanner, the display device to display said first document substantially concurrently with the transmission of the second document to scanner.

However, Berlin et al. in the same area of selective document scanning method and apparatus teaches a switch control device (control button 330 on the display 320 of fig 3B, will select the control parameter for use by the image scanner device 215 of fig

2), adapted to receive a signal to display said document on display device, (320 of fig 3B) and further adapted so that said scanner (25 of fig 2) has the capability to scan next document substantially concurrently with a displaying of the first document, (col.15, lines 60-68).

Therefore, it would have been obvious to a person with ordinary skill in the art at the time the invention was made to have modified the imaging apparatus of Barker et al. to include: a switch control device adapted to receive a starting signal to display said document on said display device, and further adapted to notify said transmission device to transmit a second document to said scanner, the display device to display said first document substantially concurrently with the transmission of the second document to scanner.

It would have been obvious to a person with ordinary skill in the art at the time the invention was made to have modified imaging device of Barker et al. by the teaching of Berlin et al. for the purpose of obtaining a perfect final image, by having the ability to perform a visual inspection of the document for all the prints of different color to be exactly superimpose.

Regarding to claim 10, Barker et al. discloses the system (fig 1), wherein said transmission device comprise a document handling device (sheet-feed device of scanner 12 of fig 1) selected from the group consisting of positive photograph holder, negative photograph holder, and ADF (automatic document feeder), see (col.3, line 47-49).

Regarding to claim 11, Barker et al. discloses the system (fig 1), wherein said memory is selected (memory is selected by CPU 46 of fig 2) from the group consisting of ring buffer and ping-pong buffer, (memory 40 and 48, which is equivalent to applicant's discloses structure as depicted at applicant's fig 2).

Regarding to claim 12, Barker et al. discloses the system (fig 1), wherein said memory comprises two memory buffer blocks (memory 40 and 48) at least, and the capacity of said memory is determined by user, (memory 40 and 48, which is equivalent to applicant's discloses structure as depicted at applicant's fig 2).

Regarding to claim 13, Barker et al. discloses the system (fig 1), wherein said notify signal is selected from the group consisting of arrow image, twinkling image and unlike color image, (read out display is provided on interface panel 26 to allow certain textual messages to be displayed for the user, see (col.3, lines 57-58).

Regarding to claim 14, Barker et al. discloses the system (fig 1), wherein said display device is selected from the group consisting of television, monitor, liquid crystal display and projector, (read out display is provided on interface panel 26 to allow certain textual messages to be displayed for the user, through LCD 30 of fig 1, monitor 20 of fig 1, see col.3, lines 57-58).

Regarding to claim 15, Barker et al. discloses a scanning method (fig 1), comprising: scanning a first document (scanning device 12, scan document 24 of fig 1) and storing said document into memory (memory device 40 of fig 2);

receiving a starting signal, (control circuit 34 of fig 1, controls a read out display 30 of fig 1, col.4, lines 5-15) displaying said first document (20 of fig 1); and scanning a next document substantially concurrently with the displaying of said first document 9document 24 of fig 1, scanned by scanner 12 of fig 1).

Regarding to claim 16, Barker et al. discloses the method (fig 1), further comprising a transmission device (scanner device 12 is a sheet-feed scanner) transmitting said document said scanner, see (col.3, line 47-49). 16.

Regarding to claim 17, Barker et al. discloses the method (fig 1), wherein said transmission device (sheet-feed device of scanner 12 of fig 1) is selected from the group consisting of positive photograph holder, negative photograph holder, and an ADF (automatic document feeder), see (col.3, line 47-49).

Regarding to claim 18, Barker et al. discloses the method (fig 1), wherein said memory comprise buffer selected (memory is selected by CPU 46 of fig 2) from the group consisting of essentially ring buffer and ping-pong buffer, (memory 40 and 48, which is equivalent to applicant's discloses structure as depicted at applicant's fig 2).

Regarding to claim 19, Barker et al. discloses the method (fig 1), wherein said memory comprises two memory buffer blocks (memory 40 and 48, which is equivalent to applicant's discloses structure as depicted at applicant's fig 2).

Regarding to claim 20, Barker et al. discloses the method (fig 1), further comprising a displaying a notify signal wherein displaying the notify signal includes receiving a notify signal by a display switch (read out display is provided on interface panel 26 to allow certain textual messages to be displayed for the user, see (col.3, lines 57-58).

Regarding to claim 21, Barker et al. discloses the method (fig 1), wherein said notify signal comprises an image selected from the group consisting essentially of an arrow image, twinkling image and unlike color image, (read out display is provided on interface panel 26 to allow certain textual messages to be displayed for the user, see (col.3, lines 57-58).

Regarding to claim 22, Barker et al. discloses the method (fig 1), wherein displaying first document includes displaying said first document on a display device wherein said display device comprise a peripheral is selected from the group consisting essentially of television, monitor, liquid crystal display and projector, (read out display is provided on interface panel 26 to allow certain textual messages to be displayed for the user, through LCD 30 of fig 1, monitor 20 of fig 1, see (col.3, lines 57-58).

Regarding to claim 23, Barker et al. discloses a scanning method (fig 1) with synchronous scan and display, (monitor 20 of fig 1) comprising: utilizing a transmission device (scanner device 12 is a sheet-feed scanner) transmitting said document to be scanned into said scanner, see (col.3, line 47-49); scanning said first document (scanning device 12, scan document 24 of fig 1) and storing said document into memory (memory device 40 of fig 2);

displaying a notify signal to notice the user displaying said document on a display device (display 20 of fig 2, is a read out display is provided on interface panel 26 to allow certain textual messages to be displayed for the user, see (col.3, lines 57-58); and

Utilizing a switch control device (control circuit 34 of fig 1, controls a read out on to display 20 of fig 1, col.4, lines 3-15) to receive a starting signal to display first document on said display device, (monitor 30 of fig 2) and further to notify said transmission device to transmit a second document into said scanner, (ADF, col3, lines 47-49) wherein the transmission of the second document to the scanner occurs substantially concurrently with the displaying of the first document (document to be scanned transmitted by ADF, positioned in the area of scanner, col.3, lines 47-49).

Regarding to claim 24, Barker et al. discloses the method (fig 1), wherein said transmission device comprises a document handling device (sheet-feed device of scanner 12 of fig 1) selected from the group consisting of positive photograph holder,

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negative photograph holder, and ADF (automatic document feeder), see (col.3, line 47-49).

Regarding to claim 25, Barker et al. discloses the method (fig 1), wherein said memory comprises selected (memory is selected by CPU 46 of fig 2) from the group consisting of ring buffer and ping-pong buffer, (memory 40 and 48, which is equivalent to applicant's discloses structure as depicted at applicant's fig 2).

Regarding to claim 26, Barker et al. discloses the method (fig 1), wherein said memory comprises two memory buffer blocks (memory 40 and 48) at least, and the capacity of said memory is determined by user, (memory 40 and 48, which is equivalent to applicant's discloses structure as depicted at applicant's fig 2).

Regarding to claim 27, Barker et al. discloses the method (fig 1), wherein said notify signal is selected from the group consisting of arrow image, twinkling image and unlike color image, (read out display is provided on interface panel 26 to allow certain textual messages to be displayed for the user, see (col.3, lines 57-58).

Regarding to claim 28, Barker et al. discloses the method (fig 1), wherein said display device is selected from the group consisting of television, monitor, liquid crystal display and projector, (read out display is provided on interface panel 26 to allow certain

textual messages to be displayed for the user, through LCD 30 of fig 1, monitor 20 of fig 1, see (col.3, lines 57-58).

Regarding to claim 29, Barker et al. discloses the apparatus (fig 1), apparatus, comprising: a scanner (scanner 22 of fig 1) capable of scanning a first document and a second document 9document 24 of fig 1); and a switch operable so that a display of the first document occurs concurrently with the scanning of the second document (control 34 of fig 2, is coupled to in put keys and display of interface panel 26 of fig 2 for receiving user generated commands and for displaying a message to user, col.4, lines 10-15).

Regarding to claim 30, Barker et al. discloses the apparatus (fig 1), further comprising a memory (memory for storing 40 of fig 2) capable of storing image data corresponding to the first document (document feed from the feeder 22 of fig 1).

Regarding to claim 31, Barker et al. discloses the apparatus (fig 1), further comprising a signal control device (34 of fig 2) capable of generating a notify signal (control 34 of fig 2, is coupled to in put keys and display of interface panel 26 of fig 2 for receiving user generated commands and for displaying a message to user, col.4, lines 10-15).

Regarding to claim 32, Barker et al. discloses the apparatus (fig 1), wherein the switch is further capable of receiving a start signal from a user, (control 34 of fig 2, is coupled to input keys and display of interface panel 26 of fig 2 for receiving user generated commands and for displaying a message to user) the switch operable so that the display of the first document occurs at least in part in response to receiving the start signal from the use, (col.4, lines 10-15).

Regarding to claim 33, Barker et al. discloses an article (fig 1), comprising: a storage medium (40 and 48 of fig 2) having stored thereon instructions, (memory 40 and 48, which is equivalent to applicant's discloses structure as depicted at applicant's fig 2), that, if executed, result in performance of a method (fig 2) comprising: scanning a first document (scanner 26 of fig 1); storing said first document into a memory (scanned document can be stored in memory 40 of fig 2); receiving a starting signal (feed device 22 of fig 1, receives starting signal to feed document to be scanned); displaying said first document (display device 20 of fig 1); and scanning a next document substantially concurrently with the displaying of said first document (the scanned document displayed on monitor 20 of fig 1).

Regarding to claim 34, Barker et al. discloses the article (fig 1), further comprising transmitting said first document to said scanner (automatic document feeder), see (col.3, line 47-49).

Regarding to claim 35, Barker et al. discloses the article (fig 1), wherein said memory comprises two or more memory buffer blocks (memory 40 and 48, which is equivalent to applicant's discloses structure as depicted at applicant's fig 2).

Regarding to claim 36, Barker et al. discloses the article (fig 1), further comprising displaying a notify signal (control circuit 34 of fig 1, controls a read out on to display 20 of fig 1, col.4, lines 3-15).

4. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

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5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Negussie Worku whose telephone number is 571-272-7472. The examiner can normally be reached on 9am-6pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Moore can be reached on 571-272-7437. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Negussie Worku

3/8/06

DOUGLAS Q. TRAN
PRIMARY EXAMINER

